

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

STATE OF ARIZONA, *et al.*,

PLAINTIFFS,

v.

MERRICK GARLAND, in his official capacity as Attorney General of the United States, *et al.*,

DEFENDANTS.

CIVIL ACTION NO. 6:22-cv-01130

JOINT MOTION FOR EXTENSION OF TIME FOR DISCOVERY

On May 18, 2022, this Court ordered “that the parties engage in a 30-day period of limited discovery.” Doc. 24 at 1. The conclusion of that 30-day period is June 17. The Court also ordered Plaintiffs to “file briefing and evidence on or before June 24, 2022, regarding the States’ standing to bring this action” and scheduled a status conference for June 27, 2022. *Id.* at 2. The Court also noted that “[i]f at any time the parties determine that they require additional time to conduct jurisdictional discovery, they should so advise the Court.” *Id.* The parties now jointly request (subject to one caveat, below) an extension of time to complete discovery of an additional sixty (60) days, up to, and through August 16, 2022.

Plaintiffs and Defendants have served discovery requests on each other. Plaintiffs served their requests on May 27, 2022. Defendants served their discovery on June 6, 2022, served deposition notices under Rule 30(b)(6) on four of the Plaintiff States, and asked those Plaintiffs to identify the proper deponents and confer on dates for the depositions. On June 14, 2022, Defendants contacted Plaintiffs by email to request an update on the depositions and for Plaintiffs to confirm whether they planned to respond to Defendants’ other discovery requests by June 17,

2022. Defendants also suggested more time to complete discovery may be necessary if Plaintiffs were not prepared to respond to Defendants' discovery requests and deposition notices by June 17, 2022. On June 15, 2022, Plaintiffs responded and stated that they agreed that an extension was appropriate and that they consented to an extension request. Plaintiffs suggested a 60-day extension. Thereafter, on June 16, 2022, the parties met and conferred at Plaintiffs' request regarding the scope of discovery and how to most efficiently complete it. Discussions are still ongoing, and the parties have jointly concluded that additional time is needed to complete discovery.

Accordingly, Plaintiffs and Defendants jointly request that this Court extend the time for discovery, and the other corresponding deadlines, by an additional 60 days. The parties also jointly request that the Court's stay of the Defendants' deadlines to respond to the motion for preliminary injunction and to answer or otherwise respond to the complaint remain in effect. If the Court grants this extension, the deadline to complete discovery would be August 16, 2022 and the deadline for Plaintiffs to file their additional briefing and evidence on standing would be August 23, 2022. The parties would also request that the court re-set the scheduled status conference for a date following the briefing deadline convenient to the Court. Should the Court wish to hear from the parties at an earlier date, the parties are also available at the Court's convenience.

The parties further agree that the extension of discovery is not intended to allow serving additional discovery requests at this preliminary, limited discovery phase, other than to follow up on the existing discovery requests, if warranted. The parties agree that if either Plaintiffs or Defendants wish to serve additional discovery concerning existing discovery requests they will first meet and confer in good faith with the opposing party and explain why such discovery is necessary to follow up on the narrow issues identified by the Court of: 1) the likely effect the

Asylum IFR will have on the number of immigrants granted asylum, residing in the plaintiff states, and 2) the costs or other measurable effect these additional persons, will have on the plaintiff states. *See, e.g.* 5/18/22 Hr'g Tr. at 73:14-18. If the parties cannot agree in good faith on any follow-up discovery they will contact the Court and seek leave before serving such discovery.

Dated: June 17, 2022

Respectfully submitted,
By:s/ Joseph Scott St. John

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* Pro hac vice application forthcoming
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